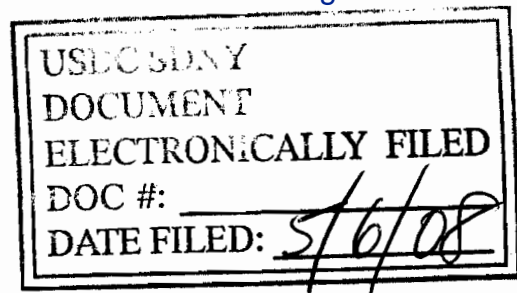


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES OF AMERICA,

- v -

ANDRE GIBBS,

Defendant.
-----X

08 CR. 298 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

The Court has received a letter from the government requesting an adjournment of the conference scheduled for May 8, 2008, and for exclusion of time under the Speedy Trial Act until the adjourned date. As this adjournment is sought because the defendant is unavailable to proceed due to a chicken pox quarantine at the Metropolitan Detention Center, and to allow the parties to conclude their plea negotiations, the Court finds that the reasons for the continuance are in the interests of justice and outweigh the interests of the defendant and of the public in a speedy trial. Accordingly, it is hereby ORDERED that:

1. The conference is adjourned to May 27, 2008, at 4:00 p.m.
2. The time from May 8, 2008, until May 27, 2008, is excluded from the Speedy Trial calculation in the interests of justice pursuant to 18 U.S.C. § 3161(h)(8)(A).

SO ORDERED.

Dated: New York, New York
May 5, 2008



GERARD E. LYNCH
United States District Judge